

BOISE, THURSDAY, JANUARY 5, 2012 AT 2:00 P.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

TWIN FALLS COUNTY, a political subdivision of)	
the State of Idaho, and the BOARD OF TWIN)	
FALLS COUNTY COMMISSIONERS, the CITY)	
OF TWIN FALLS, the CITY OF HANSEN, the)	
CITY OF FILER, the CITY OF BUHL; TETON)	
COUNTY, a political subdivision of the State of)	
Idaho, and the BOARD OF TETON COUNTY)	
COMMISSIONERS; OWYHEE COUNTY, a)	
political subdivision of the State of Idaho, and the)	
BOARD OF OWYHEE COUNTY)	
COMMISSIONERS; and KOOTENAI COUNTY, a)	
political subdivision of the State of Idaho, and the)	
BOARD OF KOOTENAI COUNTY)	
COMMISSIONERS)	Docket No. 39373
)	
Petitioners,)	
)	
vs.)	
)	
IDAHO COMMISSION ON REDISTRICTING)	
AND BEN YSURSA, Secretary of State of the State)	
of Idaho.)	
)	
Respondents.)	
)	

Petition to Challenge the Redistricting Commission's Legislative Reapportionment Plan L87.

Grant P. Loebs, Prosecutor, Twin Falls, for Petitioners.

Lawrence Wasden, Attorney General, Boise, for Respondents.

Petitioners challenge the Redistricting Commission's legislative reapportionment, Plan L 87, as violative of Article III, section 5 of the Idaho Constitution and Idaho Code section 72-1506.

The disputed legislative plan in this case is the work product of two different redistricting commissions. The prior Redistricting Commission was convened by the

Secretary of State on June 7, 2011. After fourteen public hearings around the state on more than 80 proposed legislative redistricting plans, the former Commission was disbanded without adopting a plan.

The current Redistricting Commission was sworn in on September 28, 2011 and resumed public hearings on the legislative plans under consideration by the former Commission. The Commission ultimately adopted Plan L87, which contains a total of thirty-five legislative districts, a population deviation of 9.92 percent, and eleven (11) county splits.

In its petition to this Court, Petitioners allege Plan L87 unconstitutionally splits more counties than is necessary to satisfy the federal constitutional standard of “one person-one vote.” Petitioners further assert that Plan L87 is contrary to Idaho law because it fails to preserve traditional neighborhoods of interest and contains oddly-shaped districts which are not substantially equal in population. Petitioners ask this Court to issue a writ of prohibition or injunction to prohibit enforcement of Plan L87.